

THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, MET IN REGULAR SESSION ON AUGUST 12, 2009, WITH THE FOLLOWING MEMBERS PRESENT: EDWIN H. HUMPHREY, PRESIDENT, ROBERT L. PROUD, VICE PRESIDENT, AND R. SCOTT CROSWELL III, MEMBER. THE MEETING WAS CALLED TO ORDER SHORTLY AFTER 1:00 P.M. BY THE PRESIDENT OF THE BOARD WITH THE PLEDGE OF ALLEGIANCE TO OUR FLAG.

IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 162-09/PAYMENT OF BILLS...ADOPTED

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation that the Board of County Commissioners adopt Resolution Number **162-09** resolving to approve payment to vendors listed on the General Ledger Distribution Report(s) presented by the County Auditor 08/10/09 in the revised total amount of \$1,958,032.00 and further authorizing the County Auditor to issue warrants for same pursuant to Section 319.16 of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mr. Humphrey, Aye.

IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 163-09/PAYMENT OF BILLS...ADOPTED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation that the Board of County Commissioners adopt Resolution Number **163-09** resolving to approve payment to vendors included on the General Ledger Distribution Report(s) presented by the County Auditor 08/10/09 as reflected in the General Ledger Distribution Excerpt Report in the amount of \$3.00 and further authorizing the County Auditor to issue warrants for same pursuant to Section 319.16 of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Abstained.

IN RE: CLERMONT TRANSPORTATION CONNECTION...2009 FEDERAL TRANSIT ADMINISTRATION ECHO RECERTIFICATION USER ACCESS FORM AND ECHO WEB USER CHANGE/MODIFY FORM RELATIVE TO THE ELECTRONIC FILING AND REQUEST FOR GRANT FUNDS FOR SAME...09-0728-004...EXECUTED

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Ben Capelle, Director, Clermont Transportation Connection, with the concurrence of David L. Spinney, County Administrator, to authorize Edwin H. Humphrey, President of the Board of County Commissioners, to execute the 2009 Federal Transit Administration ECHO Recertification User Access Form and the ECHO Web User Change/Modify Form to recertify user access and to change or modify users who currently have access to the system, add new users to the system and delete existing users from the system, and subsequent thereto, to authorize the filing of the referenced forms with the U.S. Department of

Transportation, Federal Transit Administration, Office of Financial Systems (E54-455), Attention: ECHO Web Recertification, 1200 New Jersey Avenue SE, Washington, DC 20590, relative to the electronic filing and request for grant funds pursuant to the National Institute of Standards and Technology (NIST) Special Publication 800-53, Recommended Security Controls for Federal Information Systems, and in compliance with the terms and conditions set forth therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mr. Humphrey, Aye.

**IN RE: DEPARTMENT OF PUBLIC SAFETY SERVICES...DESIGNATION OF
NOMINEES FOR RE-APPOINTMENT TO THE CLERMONT COUNTY
LOCAL EMERGENCY PLANNING COMMITTEE....09-0730-
005...APPROVED**

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Elizabeth Nevel, Director, Department of Public Safety Services, to nominate the following individuals for re-appointment to serve on the Clermont County Local Emergency Planning Committee, who represent each of the below listed groups or organizations, effective 08/15/09 through 08/14/11, pursuant to and in compliance with Section 3750.03 (B) of the Ohio Revised Code:

Nominee	Representation	Organization/Title
Gary Auffart 860 Clough Pike Cincinnati, Ohio 45245	Fire	Union Township Fire Department Assistant Chief
Bonna Bauer 3000 Hospital Drive Batavia, Ohio 45103	Hospital	Mercy Hospital Clermont Safety Officer/Mgr. Security Dept.
Karen Blades 2279 Clermont Center Drive Batavia, Ohio 45103	Emergency Management	Clermont County EMA/LEPC LEPC Information Officer
Paul Braasch 4400 Haskell Lane Batavia, Ohio 45103	Environmental Protection	Clermont County Office of Environmental Quality Director
Edward Bridgeman 4200 Clermont College Drive Batavia, Ohio 45103	Law Enforcement	University of Cincinnati Dept. of Criminal Justice Professor of Criminology
Connie Dall 5092 Aber Road Williamsburg, Ohio 45176	Industry	CECOS International Environmental Manager
Carla Goodspeed 2085 James E. Sauls Sr. Drive Batavia, Ohio 45103	Transportation	Clermont Senior Services, Inc. Business Manager
Brad J. Gramke 5055 State Route 276 Batavia, Ohio 45103	Industry	Diversapack LLC Environmental, Health, & Safety Coordinator
Randall Harvey 4470 State Route 222 Batavia, Ohio 45103	Law Enforcement	Clermont County Sheriff's Office Lt - Criminal Operations LEPC Emergency Coordinator
Edwin Humphrey 101 East Main Street Batavia, Ohio 45103	Elected Officials	Clermont County Commissioner LEPC Vice Chairman
Eugene Langschwager 1275 Eagle Ridge Drive Milford, Ohio 45150	Community Group	Citizen
Kathy Lehr 177 East Main Street Batavia, Ohio 45103	Media	Clermont County Office of Public Information Director

Beth Nevel 2279 Clermont Center Drive Batavia, Ohio 45103	Emergency Management	Clermont County EMA/LEPC LEPC Chairman/EMA Director
Thomas W. Patt 1781 US Route 52 Moscow, Ohio 45153	Industry	Duke Energy Environmental Coordinator
Robert Perry 2275 Bauer Road Batavia, Ohio 45103	Health/Environmental	Clermont County General Health District Director, Environmental Health
Tom Peterson 720 Sycamore Street Cincinnati, Ohio 45202	First Aid/Red Cross	American Red Cross of Greater Cincinnati Area Disaster Specialist

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Aye.

IN RE: DEPARTMENT OF JOB AND FAMILY SERVICES...PURCHASE OF SERVICE AGREEMENT WITH CHILDREN'S HOSPITAL MEDICAL CENTER FOR THE PROVISION OF RESIDENTIAL TREATMENT SERVICES FOR SAME...09-0803-001...EXECUTED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Tim McCartney, Director, Department of Job and Family Services, with the concurrence of David L. Spinney, County Administrator, to execute a Purchase of Service Agreement by and between the County of Clermont, Ohio, and Children's Hospital Medical Center, operating the Residential Care Facility at 5642 Hamilton Avenue, Cincinnati, Ohio 45224, for the provision of residential treatment services for a child in the custody of the Department of Job and Family Services, Children's Protective Services, at the rate of \$400.00 per day, effective 07/16/09 through 01/15/10, pursuant to and in compliance with the terms and conditions specified therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Aye.

IN RE: DEPARTMENT OF COMMUNITY PLANNING AND DEVELOPMENT...REQUEST TO ADVERTISE FOR BIDS FOR PROJECT NUMBER 2008-02 RELATIVE TO THE VILLAGE OF NEW RICHMOND FRONT STREET REVITALIZATION PROJECT, PHASE I, IN CONCERT WITH THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FORMULA PROGRAM FOR FISCAL YEAR 2008...09-0728-003...APPROVED

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Raymond Sebastian, Chief Building Official, Building Inspection Department, with the concurrence of Scot Lahrmer, Assistant County Administrator, to approve the request to advertise for bids for Project Number 2008-02 relative to the Village of New Richmond Front Street Revitalization Project, Phase I, in concert with the Community Development Block Grant (CDBG) Formula Program for Fiscal Year 2008, pursuant to the plans and specifications therefore, and to authorize the Clerk of the Board to place a Legal Notice in a newspaper of general circulation on 08/20/09, with bids to be received until **2:00 P.M. Local Time on Thursday, 09/03/09**, in the Office of the Board of County Commissioners, 101 East Main Street, Batavia, Ohio 45103-2960, where they will be publicly opened and read aloud shortly thereafter. This notice is also posted on Clermont County's internet site.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mr. Humphrey, Aye.

**IN RE: OFFICE OF TECHNOLOGY, COMMUNICATIONS AND SECURITY/
FACILITIES MANAGEMENT DEPARTMENT...REJECTION OF ALL
BIDS HERETOFORE RECEIVED FOR THE JUVENILE DETENTION
ACOUSTICAL IMPROVEMENTS AND REQUEST TO RE-ADVERTISE
FOR BIDS RELATIVE THERETO...09-0603-003...RATIFIED**

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Wade Grabowski, Director, Facilities Management Department, with the concurrence of Stephen H. Rabolt, Director, Office of Technology, Communications and Security, to reject all bids heretofore received on 07/16/09 for the Juvenile Detention Acoustical Improvements and, subsequent thereto, to approve the request to re-advertise for bids for the Juvenile Detention Acoustical Improvements pursuant to the *revised* plans and specifications, and to authorize the Clerk of the Board to place a Legal Notice in a newspaper of general circulation on 08/20/09, with bids to be received until **2:00 P.M. Local Time on Thursday, 09/03/09**, in the Office of the Board of County Commissioners, 101 East Main Street, Batavia, Ohio 45103-2960, where they will be publicly opened and read aloud shortly thereafter. This notice is also posted on Clermont County's internet site.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Aye.

**IN RE: OFFICE OF ECONOMIC DEVELOPMENT...RESOLUTION
AUTHORIZING THE EXECUTION OF A PRELIMINARY FINANCING
SUMMARY RELATIVE TO THE PROPOSED ISSUANCE OF BONDS BY
THE OHIO DEPARTMENT OF DEVELOPMENT FOR THE
ACQUISITION AND RENOVATION OF THE FORMER FORD
FACILITY LOCATED IN BATAVIA TOWNSHIP BY INDUSTRIAL
REALTY GROUP, LLC...09-0811-001...EXECUTED**

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Andrew Kuchta, Director, Office of Economic Development, with the concurrence of Scot Lahrmer, Assistant County Administrator, to authorize Edwin H. Humphrey, President of the Board of County Commissioners, to execute a Preliminary Financing Summary relative to the *proposed* issuance of \$6,125,000 Ohio Enterprise Bond Fund Bonds by the Ohio Department of Development to finance the acquisition and renovation of the former Ford facility consisting of a 1,800,000 square foot building located on 230 acres in Batavia Township, Clermont County, Ohio, by the Industrial Realty Group, LLC as set forth therein to prevent slum and blight, to increase the opportunity for economic development in the County, and to entice the location and growth of new businesses in the County, pursuant to and in compliance with Section 307.07 (B)(5) of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mr. Humphrey, Aye.

IN RE: COUNTY ENGINEER... LIBERTY CROSSING SUBDIVISION/SECTION 1/UNION TOWNSHIP...RESOLUTION NUMBER 164-09/RESOLUTION AUTHORIZING THE CONVERSION OF A COMBINED PERFORMANCE-MAINTENANCE BOND FOR SAME...05-1209-018...ADOPTED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to adopt Resolution Number **164-09** to convert the Combined Performance-Maintenance Bond in the amounts listed below, for the construction of streets in the stated lengths within the following subdivision located in Union Township, from the performance bond phase to the maintenance bond phase effective as of the date of conversion thereof:

Subdivision	Performance-Maintenance Bond	Street/Length (miles)
Liberty Crossing Subdivision Section 1 Union Township Resolution Number 164-09	\$82,000.00/\$30,000.00	Freesia Lane (0.07) Durham’s Crossing (0.19) Hyacinth Road (0.32) Foxglove Court (0.05)

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Aye.

IN RE: COUNTY ENGINEER... WETHERBY FARMS SUBDIVISION/SECTION 4/UNION TOWNSHIP...RESOLUTION NUMBER 165-09/RESOLUTION AUTHORIZING THE CONVERSION OF A COMBINED PERFORMANCE-MAINTENANCE BOND FOR SAME...06-0210-001...ADOPTED

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to adopt Resolution Number **165-09** to convert the Combined Performance-Maintenance Bond in the amounts listed below, for the construction of streets in the stated lengths within the following subdivision located in Union Township, from the performance bond phase to the maintenance bond phase effective as of the date of conversion thereof:

Subdivision	Performance-Maintenance Bond	Street/Length (miles)
Wetherby Farms Subdivision Section 4 Union Township Resolution Number 165-09	\$38,000.00/\$10,000.00	North Yorkshire Square (.08) North Gensen Loop (.08) West Anson Drive (.10) Prospect Lane (.05)

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mr. Humphrey, Aye.

IN RE: COUNTY ENGINEER...CHANGE ORDER NUMBER 2 TO THE CONTRACT WITH ULTRA TECHNIC CONSTRUCTION, LLC FOR PROJECT NUMBER LS-02-08 RELATIVE TO THE BEECHWOOD ROAD AND BRANCH HILL LOVELAND LANDSLIDE STABILIZATION PROJECTS LOCATED IN UNION AND MIAMI TOWNSHIPS,

RESPECTIVELY...08-0905-003...EXECUTED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to execute Change Order Number 2 to the Contract with Ultra Technic Construction, LLC, 6531 West Chester Road, West Chester, Ohio 45069, previously ratified by the Board of County Commissioners on 11/25/08 and subsequently amended on 03/18/09, for Project Number LS-02-08 relative to the Beechwood Road and Branch Hill Loveland Landslide Stabilization Projects located in Miami and Union Townships, respectively, which represents a decrease in the amount of \$3,655.00, for a total adjusted contract price to date of \$241,666.70 for additions, deletions and/or modifications thereto as defined therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Aye.

LET THE RECORD SHOW: That a motion by Mr. Proud, seconded by Mr. Humphrey, to approve the minutes of Work Session of **07/22/09** carried with Commissioners Proud and Humphrey voting affirmatively thereon. Commissioner Croswell abstained.

LET THE RECORD SHOW: That a motion by Mr. Croswell, seconded by Mr. Proud, to approve the minutes of Regular Session of **08/12/09** carried with all members present voting affirmatively thereon.

LET THE RECORD SHOW: That the President of the Board of County Commissioners, noting no further business to come before the commission for legislative action, adjourned this Regular Session at 1:13 P.M.

**BOARD OF COUNTY COMMISSIONERS
CLERMONT COUNTY, OHIO**

**EDWIN H. HUMPHREY, PRESIDENT
ROBERT L. PROUD, VICE PRESIDENT
R. SCOTT CROSWELL III, MEMBER**

JUDITH KOCICA, CLERK OF THE BOARD

DATE APPROVED – 08/12/09